

AMENDED IN ASSEMBLY MAY 13, 2015

AMENDED IN ASSEMBLY APRIL 29, 2015

AMENDED IN ASSEMBLY APRIL 23, 2015

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1360

Introduced by Assembly Member Ting
(Coauthors: Assembly Members Chang, Gatto, and Wilk)

February 27, 2015

An act to amend Section 5401 of the Public Utilities Code, relating to charter-party carriers of passengers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1360, as amended, Ting. Charter-party carriers of passengers: individual fare exemption.

The Passenger Charter-Party Carriers' Act generally requires charges for transportation offered or afforded by a charter-party carrier of passengers to be computed and assessed on a vehicle mileage or time-of-use basis, rather than on an individual-fare basis, subject to certain exemptions.

This bill would also exempt from these provisions a rideshare program operated by a transportation network company that prearranges a ride among multiple passengers who share the ride in whole or in part, provided that the vehicle seats no more than 7 passengers, not including the driver, is operated by a participating driver, as defined, is not used to provide public transit services or carry passengers over a fixed route, and is not used to provide pupil transportation services or public

paratransit services, and the fare for each passenger is less than the fare that would be charged to a single passenger traveling alone.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5401 of the Public Utilities Code is
2 amended to read:

3 5401. Charges for the transportation to be offered or afforded
4 by a charter-party carrier of passengers shall be computed and
5 assessed on a vehicle mileage or time of use basis, or on a
6 combination thereof. These charges may vary in accordance with
7 the passenger capacity of the vehicle, or the size of the group to
8 be transported. However, no charter-party carrier of passengers
9 shall, directly or through an agent or otherwise, nor shall any
10 broker, contract for, agree to, or demand or receive compensation
11 in an amount, or arrange to charge an amount, for the transportation
12 offered or afforded, that shall be computed on an individual-fare
13 basis, except as follows:

14 (a) Schoolbus contractors who are compensated by parents of
15 children attending public, private, or parochial schools.

16 (b) Operators of round-trip sightseeing tour services conducted
17 under a certificate subject to Section 5371.1, or a permit issued
18 pursuant to subdivision (c) of Section 5384.

19 (c) (1) A rideshare program operated by a transportation
20 network company subject to this chapter that prearranges a ride
21 among multiple passengers who share the ride in whole or in part,
22 provided that all of the following requirements are met:

23 (A) The vehicle seats no more than seven passengers, not
24 including the driver.

25 (B) The driver is a participating driver as defined in subdivision
26 (b) of Section 5431.

27 (C) The vehicle is not used to provide public transit services or
28 to carry passengers over a fixed route.

29 (D) The vehicle is not used to provide pupil transportation
30 services.

31 (E) The vehicle is not used to provide public paratransit services.

1 (F) The individual fare for each passenger is less than the fare
2 that would be charged for the same ride to a single passenger
3 traveling alone.

4 (2) This subdivision does not change the insurance requirements
5 established under Section 5433 for a transportation network
6 company and any participating driver. This subdivision does not
7 change the insurance limitations set forth in Section ~~5434~~. 5434
8 *or the requirements set forth in Section 5435.*

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